



AUSTIN CITY COUNCIL
MINUTES

REGULAR MEETING
THURSDAY, SEPTEMBER 28, 2006

Invocation: Pastor John Stennfeld, Christ Lutheran Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, September 28, 2006 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:15 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member McCracken’s motion, Council Member Cole’s second on a 7-0 vote.

1. Approval of the minutes of the Austin City Council from the offsite annexation meeting of August 29, 2006, the regularly scheduled meeting of August 31, 2006, and the budget meeting of September 11, 2006.
The minutes from the annexation meeting of August 29, 2006, the regularly scheduled meeting of August 31, 2006, and the budget meeting September 11, 2006, were approved.
2. Approve the issuance of a Letter of Intent for a rebate in the amount of \$69,120 to BARR MANSION, Austin, TX, for the installation of a solar photovoltaic system at their facility located at 10463 Sprinkle Road. Funding is available in the amount of \$69,120 in the Fiscal Year 2006-2007 approved operating budget of the Conservation Rebates and Incentives Fund of Austin Energy. Recommended by the Resource Management Commission.
The motion authorizing the issuance of a letter of intent was approved.
3. Approve issuance of a rebate in the amount of \$70,652 to SAMSUNG ELECTRONICS CO. LTD., Austin, TX, for the installation of variable frequency drives on supply pumps and exhaust fan motors at their facility located at 12100 Samsung Blvd. Funding is available in the amount of \$70,652 in the Fiscal Year 2006-2007 approved operating budget of the Conservation Rebates and Incentives Fund of Austin Energy. Recommended by the Resource Management Commission.
The motion authorizing the issuance of a rebate was approved.
4. Authorize negotiation and execution of an amendment to the existing Cost Reimbursement Agreement with SIVE Construction Company, a Texas corporation, to use \$146,190 of the cost reimbursement dollars originally approved for reimbursement of City of Austin fees applicable to the construction of the 24-inch water improvements; for a maximum (“hard”) construction cost reimbursement amount not to

exceed \$1,550,190, and for an overall maximum cost reimbursement amount not to exceed the originally approved \$1,934,800. No fiscal impact. Recommended by the Water and Wastewater Commission.

The motion authorizing the negotiation and execution of an amendment to the existing cost reimbursement agreement was approved.

5. Authorize the City Manager to negotiate and execute an amendment with the City of Rollingwood to the "Agreement for Wholesale Wastewater Service Between the City of Rollingwood, Texas and the City of Austin, Texas" to allow the use of the City of Austin's winter month average billing methodology for certain property in the City of Rollingwood. No City funds are required by this action. Recommended by the Water and Wastewater Commission.

The motion authorizing the City Manager to negotiate and execute an amendment to the agreement for wholesale wastewater service was approved.

6. Authorize execution of a Supplemental Amendment No.6 with TURNER COLLIE & BRADEN, INC., Austin, Texas 78746 for additional engineering design and bid phase services related to the Gilleland Creek Interceptor in the amount not to exceed \$109,331 for a total contract amount not to exceed \$3,317,583. Funding in the amount of \$109,331 is available in the Fiscal Year 2005-2006 Capital Improvement Budget of the Austin Water Utility. 10.15% MBE and 18.38% subcontractor participation to date. Recommended by Water & Wastewater Commission.

The motion authorizing the execution of a supplemental amendment number 6 was approved.

7. Approve negotiation and execution of Interlocal Agreement for Pretreatment Services with Northtown Municipal Utility District to assist in performing pretreatment inspections, sampling, lab analyses, permitting, and enforcement support. The Northtown Municipal Utility District will pay the City for services rendered for time and materials plus overhead. Recommended by the Water and Wastewater Commission.

The motion authorizing the negotiation and execution of interlocal agreement was approved.

8. Authorize the City Manager to negotiate and execute an agreement with Travis County Water Control and Improvement District No. 17 ("WCID No. 17") for the City's provision of retail water and wastewater service to a 43-acre tract located within WCID No. 17 and southeast of the intersection of FM 2222 and RM 620 and to amend the Agreement for Wholesale Wastewater Utility Service for the Comanche Canyon Ranch Extraterritorial Jurisdiction Planned Unit Development executed between the City and WCID No. 17. The Developer will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by the Water and Wastewater Commission.

The motion authorizing the City Manager to negotiate and execute an agreement was approved.

9. Authorize negotiation and execution of a Renewal and Fourth Amendment to the Interlocal Agreement with the Travis County Healthcare District ("Healthcare District") for the continued operation by the City of the community health clinic system, and continued management by the City of the Healthcare District's medical assistance programs, charity care programs and related matters for a one-year term, and to adjust payments to the City, and add 10.25 positions to Community Care Services Department. Funding sufficient to satisfy all City obligations under the interlocal agreement will be available in the net transfer of funds from the Travis County Healthcare District to the City of Austin in Fiscal Year 2006-2007.

The motion authorizing the negotiation and execution of a renewal and fourth amendment to the interlocal agreement was approved.

10. Approve a resolution authorizing the negotiation and execution of a Master Equipment Lease/Purchase Agreement and related agreements with Banc of America Leasing & Capital, LLC, as lessor, to finance the lease/purchase acquisition of up to \$2,340,000 in equipment referred to as the Airport Revenue

Control System. \$349,000 in the first year debt service requirement is included in the Fiscal Year 2006-2007 Approved Operating Budget of the Aviation Department.

Resolution No. 20060928-010 was approved.

11. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds made available to the City pursuant to the terms of a Master Lease Purchase Agreement with Banc of America Leasing & Capital L.L.C. for expenditures in the amount of \$2,340,000 related to the acquisition of the Aviation Department's Airport Revenue Control System. \$2,340,000 to be reimbursed from the Master Lease Purchase Agreement.
Resolution No. 20060928-011 was approved.
12. Approve a resolution declaring the City of Austin's official intent to reimburse itself from long-term tax-exempt debt to be issued by or on behalf of the City in the amount of \$4,500,000 for expenditures related to water utility relocations and improvements associated with the Seaholm Redevelopment Project. \$4,500,000 in tax-exempt long-term debt expected to be issued by or on behalf of the City no earlier than August 2007. (Related to item #49)
Resolution No. 20060928-012 was approved.
13. Approve an ordinance authorizing acceptance of grant funds in the amount of \$100,000 from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH, Austin, TX, for a total grant amount of \$278,059; and amending the Fiscal Year 2005-2006 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance 20050912-001, to add one full time equivalent position and to appropriate \$100,000 for the Tuberculosis Elimination Program. Funding in the amount of \$100,000 is available from the Texas Department of State Health Services, Infectious Disease Intervention and Control Branch, Tuberculosis Elimination Division. The grant period is September 1, 2006 through August 31, 2007. No City match is required.
Ordinance No. 20060928-013 was approved.
14. Approve an ordinance authorizing acceptance of \$439,168 in additional grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), TITLE V AND HEALTH RESOURCES DEVELOPMENT OFFICE, Austin, TX, and amending the Fiscal Year 2005-2006 Health and Human Services Operating Budget Special Revenue Fund of Ordinance No. 20050912-001, to appropriate \$439,168 to provide a population-based intervention program to improve maternal and child health status in the Austin/Travis County area. Funding in the amount of \$439,168 is available from the Texas Department of State Health Services, Title V and Health Resources Development Office for a 20-month grant amount equal to \$616,790. The current grant period is September 1, 2006 through August 31, 2007. No City match is required.
Ordinance No. 20060928-014 was approved.
15. Approve an ordinance authorizing acceptance of \$338,946 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES (DSHS), NUTRITION SERVICES SECTION, Austin, TX; and amending the Fiscal Year 2005-2006 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20050912-001, to appropriate \$338,946 for the Women, Infants and Children (WIC) Program to enhance good health care at no cost to low income pregnant and postpartum women, infants and children identified to be at nutritional risk in Austin and Travis County. These additional grant funds bring the total grant amount to \$4,504,946. Funding in the amount of \$338,946 is available from the Texas Department of State Health Services, Nutrition Services Section. The grant period is October 1, 2005 through September 30, 2006. No City match is required. (Related to item # 29)
Ordinance No. 20060928-015 was approved.

16. Authorize negotiation and execution of an Interlocal Cooperation Agreement between the CITY OF AUSTIN and the AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION, Austin, TX, to provide Managed Services Organization services for eligible clients and their families, in an amount not to exceed \$177,569, with three 12-month renewal options in an amount not to exceed \$177,569 per renewal option, for a total agreement amount not to exceed \$710,276. Funding in the amount of \$177,569 is available in the Neighborhood Housing and Community Development Department Special Revenue Fund, from the Community Development Block Grant (CDBG 32nd Year) funds. The initial agreement term is October 1, 2006 through September 30, 2007. Funding for renewal options is contingent on available funding in future budgets.
The motion authorizing the negotiation and execution of an interlocal cooperation agreement was approved.
17. Authorize execution of a 12-month contract with AUSTIN FAMILIES, INC. dba FAMILYCONNECTIONS, Austin, TX to provide childcare services for families in crisis, in an amount not to exceed \$263,272, with three 12-month renewal options in an amount not to exceed \$263,272 per renewal option, for a total agreement amount not to exceed \$1,053,088. Funding in the amount of \$263,272 is available in the Neighborhood Housing and Community Development Department Special Revenue Fund, the Community Development Block Grant (CDBG). The initial contract period for the contract will be October 1, 2006 – September 30, 2007. Renewal options subject to available funding and performance. March 14, 2006, Child Care Council recommendations regarding CDBG funding; July 18, 2006, Community Development Commission approval of the 2006-2007 Action Plan.
The motion authorizing the execution of a contract was approved.
18. Authorize execution of two 12-month contracts for HIV-related housing services with AIDS SERVICES OF AUSTIN, INC., Austin, TX in an amount not to exceed \$649,270, with two 12-month renewal options in an amount not to exceed \$649,270 per renewal option, for a total contract amount not to exceed \$1,947,810; and, PROJECT TRANSITIONS, INC, Austin, TX, in an amount not to exceed \$262,800, with two 12-month renewal options in an amount not to exceed \$262,800 per renewal option, for a total contract amount not to exceed \$788,400. Funding in the amount of \$940,000 is available in the Fiscal Year 2007 Approved Operating Budget of the Health and Human Services Department (HHSD) Special Revenue Fund HOPWA-HUD grant program. The contract period is October 1, 2006 to September 30, 2007; the grant period is October 1, 2006 to September 30, 2009. The Community Development Commission approved the Annual Action Plan on July 17, 2006.
The motion authorizing the execution of two contracts was approved.
19. Authorize negotiation and execution of an amendment to the outside counsel contract with THOMPSON & KNIGHT, L.L.P., Austin, TX for negotiating and drafting documents related to the redevelopment of Robert Mueller Municipal Airport Project in an amount not to exceed \$100,000, with a total contract amount not to exceed \$1,166,500. Funding in the amount of \$100,000 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Economic Growth and Redevelopment Services Office.
The motion authorizing the negotiation and execution of an amendment to the outside counsel contract was approved.
20. Approve second/third readings of an ordinance adding Section 25-2-812 to the City Code; amending Section 25-2-1406 of the City Code relating to Mobile Food Establishments; and providing for emergency passage.
Ordinance No. 20060928-020 with the following amendment was approved. The introduction sentence to Section 25-2-812, (G) should read: “A mobile food establishment is limited to signs attached to the exterior of the mobile food establishment.”

21. Approve an amendment to Ordinance 20060608-120, relating to temporary regulations for a mobile food establishment, to extend the expiration date of the ordinance; and to provide for emergency passage.
This item was withdrawn.
22. Approve second/third readings of an ordinance amending Title 25 of the City Code relating to height provisions, compatibility provisions, noncomplying structure provisions, building permit provisions, and the applicability of the residential design and compatibility regulations adopted by Council on June 22, 2006; additional amendments necessary to reformat the residential design and compatibility regulations adopted by Council on June 22, 2006, including provisions related to the Residential Design and Compatibility Commission; repealing Ordinance No. 20060309-058 and Ordinance No. 20060622-022; and providing for emergency passage.
Ordinance No. 20060928-022 was approved with the following amendments. There was a friendly amendment from Council Member McCracken that was accepted by Council Member Cole which reads as follows: Section 1.3. Exceptions, 1.3.3. "The articulation requirements associated with new construction less than 2,000 square feet in gross floor area that is less than 32 feet in height." Part 3, (D), should read "The two dwelling units must have a common wall or floor and ceiling, which may be a common garage wall, for at least 50% of the maximum depth of the building."
23. Authorize the negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation in an amount not to exceed \$14,454,256 to manage and operate various City housing programs in Fiscal Year 2006-2007. The sources to fund the annual Austin Housing Finance Corporation (AHFC) service agreement include: \$1,043,000 from the Housing Trust Fund; \$500,000 from the City UNO-Housing Trust Fund; \$2,108,193 from the City S.M.A.R.T. Housing™ Capital Improvement Project Fund; \$3,831,263 from the HUD HOME Program; \$2,567,692 from the HUD Community Development Block Grant; \$101,815 from the HUD American Dream Down Payment initiative; \$450,000 from HUD Community Development Block Grant Program Income; \$2,711,040 from HUD HOME Program Income; \$524,000 from HOME Match Program Income; and \$617,253 from the General Fund.
The motion authorizing the negotiation and execution of a service agreement was approved.
- Item 24 was pulled for discussion.**
25. Authorize the negotiation and execution of a contract and all documents necessary for the sale of approximately 209 square feet at 3rd Street and Lamar Boulevard to SPRING AUSTIN PARTNERS LTD. a Texas limited partnership, in the amount of \$11,200.
The motion authorizing the negotiation and execution of a contract was approved.
26. Authorize the negotiation and execution of a short term 12-month lease renewal for approximately 5,928 square feet of office space located at 1009 East 11th Street, from the EAST AUSTIN ECONOMIC DEVELOPMENT CORPORATION, for the Community Liaison Program of the Austin Police Department, and authorize the execution of a 12-month sublease renewal of approximately 600 square feet of the space to the Texas Music Museum, Inc., in an amount not to exceed \$130,416. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Police Department. Funding for the remaining contract period is contingent upon available funding in future budgets.
The motion authorizing the negotiation and execution of a lease renewal was approved.
27. Authorize negotiation and execution of a 24-month lease for approximately 4,000 square feet of office space and approximately two acres of vehicle parking space for the Public Works Street and Bridge Division Central District, located at 3511 Manor Road, from CONTRACT CARRIERS INC c/o CSA MANAGEMENT, Austin, TX, in an amount not to exceed \$240,000. Funding for the contract period is contingent upon available funding in future budgets.

The motion authorizing the negotiation and execution of a lease was approved.

28. Authorize negotiation and execution of a 28-month lease renewal for 5,360 square feet of space for the Twin Oaks Branch Library, located at 2301 S. Congress Ave., Suite 7, from JUNG MARLEY PARTNERSHIP, Austin, TX, in an amount not to exceed \$175,567.84. Funding for the remaining contract period is contingent upon available funding in future budgets.

The motion authorizing the negotiation and execution of a lease renewal was approved.

Item 29 was pulled for discussion.

30. Approve a resolution to authorize the extension of a temporary staging area and material storage site easement on an approximately 15.034 acre tract of land in the John Applegate Survey 58, Abstract 29, Travis County, Texas, located along Cameron Road at Clear Creek Drive from JOSEPH, JOSEPH, and WILLIAMS PARTNERSHIP, a Texas General Partnership, in an amount not to exceed \$41,000 for the Austin Clean Water Program: Little Walnut at Centre Creek Project. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility.

Resolution No. 20060928-030 was approved.

31. Authorize execution of a construction contract with AUSTIN UNDERGROUND, INC., Lago Vista, TX, for the Austin Clean Water Program: East 13th Street Alley Wastewater Improvements Project, for a total amount not to exceed \$331,786.50. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest of nine bids received. 16.26% MBE and 5.83% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the execution of a construction contract was approved.

Item 32 was pulled for discussion.

33. Authorize execution of a construction contract with FACILITIES REHABILITATION INC. (MBE/MH 93.84%), Fort Worth, TX, for the Austin Clean Water Program: Govalle 4 San Bernard Street Wastewater Improvements Project in an amount not to exceed \$213,066. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest of eight bids received. 0.00% MBE and 6.16% WBE subcontractor participation. Recommended by Water and Wastewater Commission.

The motion authorizing the execution of a construction contract was approved.

34. Authorize execution of a construction contract with LEWIS CONTRACTORS, INC., Bertram, TX, for the Meadowheath Lift Station Decommission and Gravity Relief Main Project in an amount not to exceed \$263,605. Funding is available in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest of four bids received. 17.59 % MBE and 5.52 % WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the execution of a construction contract was approved.

35. Authorize execution of a construction contract with MCLEAN CONSTRUCTION, LTD., Killeen, TX, for the Austin Clean Water Program: Govalle 3 Carson Creek at Montopolis Drive Wastewater Improvements Project in the amount of \$944,495, plus a \$51,505 contingency, for a total contract amount not to exceed \$996,000. Funding in the amount of \$996,000 is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest of four bids received. 15.77% MBE and 5.45%WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the execution of a construction contract was approved.

36. Authorize execution of a construction contract with MCLEAN CONSTRUCTION, LTD., Killeen, TX, for the Austin Clean Water Program: East 12th Street Alley Wastewater Improvements Project, in a total

amount not to exceed \$234,596. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest of six bids received. 16.98% MBE and 6.66% WBE subcontractor participation. Recommended by Water and Wastewater Commission.

The motion authorizing the execution of a construction contract was approved.

37. Authorize negotiations and execution of construction contracts with SPAWGLASS CONTRACTORS, INC., Austin, TX, and, SCHINDLER ELEVATOR CORPORATION, San Antonio, TX, for the Austin Bergstrom International Airport Elevator and Escalator Improvement Project in an aggregate amount not to exceed \$1,105,281. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Aviation Department.

The motion authorizing the negotiations and execution of construction contracts was approved.

38. Authorize negotiation and execution of a professional services agreement with R.W. BECK, INC., Austin, TX to assess all available data and conduct a comprehensive and integrated expert evaluation providing data, recommendations, and written documentation for zero waste initiatives for the City of Austin and surrounding regions, in an amount not to exceed \$60,000. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Solid Waste Services Department. Best qualification statement of two statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Solid Waste Advisory Commission (SWAC) recommends that Council not consider this item until more information has been reviewed and considered by SWAC.

This item was withdrawn.

39. Authorize an increase in the design-build agreement for the Austin-Bergstrom International Airport (ABIA) Terminal Baggage Screening Improvements Project with HENSEL PHELPS CONSTRUCTION CO., Austin, TX, in the amount of \$560,113, for a total amount not to exceed \$22,960,113. Funding in the amount of \$560,113 is included in the Fiscal Year 2005-2006 Amended Capital Budget of the Aviation Department. 26.74% DBE subcontractor participation to date (design phase); 17.65% DBE subcontractor participation to date (construction phase). Recommended by the Austin Airport Advisory Commission.

The motion authorizing an increase in the design-build agreement was approved.

Item 40 was pulled for discussion.

41. Approve an ordinance to amend Section 12-4-24 of the City Code to establish a maximum speed limit of 25 miles per hour on residential streets within the area bounded by Enfield Road to the south, North Lamar Boulevard to the east, Mo-Pac to the west, and Windsor Road to the north. Funding in the amount of \$2,200 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for the installation of necessary signs.

Ordinance No. 20060928-041 was approved.

42. Authorize negotiation and execution of an Interlocal Agreement between the City of Austin and the Capital Area Council of Governments (CAPCOG) for planning services related to completing the Pedestrian Master Plan (Phase II), in an amount not to exceed \$549,503. Funding is available in the Fiscal Year 2006-2007 Approved Capital Budget of the Public Works Department.

The motion authorizing the negotiation and execution of an interlocal agreement was approved.

43. Authorize award and execution of a 24-month requirements supply contract with POWER SUPPLY INC., Austin, TX, for distribution capacitors in an estimated amount not to exceed \$132,000, with two 12-month extension options in an estimated amount not to exceed \$66,000 per extension option, for a total estimated contract amount not to exceed \$264,000. Funding in the amount of \$66,000 is available in the

Fiscal Year 2006-2007 Approved Operating Budget of the Austin Energy Department. Funding for the remaining 12 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract was approved.

44. Approve ratification of a contract with POWER SUPPLY INC., Austin, TX, for transformer bushings in an amount not to exceed \$86,000. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Austin Energy Department. Critical Business Need. This contract was awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the ratification of a contract was approved.

45. Authorize award, negotiation and execution of a 12-month requirements service contract with JOHN RHODES INC., dba RHODES CONSULTING SERVICES INC., Longmont, CO, for staff augmentation services for MS Project 2003 and Project Server, in an estimated amount not to exceed \$150,000, with one 12-month extension option in an estimated amount not to exceed \$150,000, for a total estimated contract amount not to exceed \$300,000. Funding in the amount of \$150,000 is available in the Fiscal Year 2006-2007 Approved Operating Budget of Austin Energy. Funding for the extension option is contingent upon available funding in future budgets. Best evaluated proposal of four proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation and execution of a requirements service contract was approved.

46. Authorize award, negotiation and execution of a 12-month requirements service contract with TAS Environmental Services, L. P., Fort Worth, TX, for remediation of hazardous materials spills in an estimated amount not to exceed \$305,558.76, with four 12-month extension options in an estimated amount not to exceed \$305,558.76 per extension option, for a total estimated contract amount not to exceed \$1,527,793.80. Funding in the amount of \$305,558.76 is available in the Fiscal Year 2006-2007 Approved Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposals of four proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation and execution of a requirements service contract was approved.

47. Authorize award and execution of a contract with TECHLINE, LTD, Austin, TX, for transmission line conductor in an amount not to exceed \$128,321.41. Funding is available in the Fiscal Year 2006-2007 Approved Capital Budget of the Austin Energy Department. Lowest bid of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract was approved.

48. Authorize award, negotiation and execution of a 12-month requirements service contract with TMG CONSULTING, INC., (MBE/MN) Austin, TX, for Customer Information Systems (CIS) gap analysis and related services in an estimated amount not to exceed \$217,100, with two 12-month extension options in an estimated amount not to exceed \$217,100 per extension option, for a total estimated contract amount not to exceed \$651,300. Funding in the amount of \$217,100 is available in the Fiscal Year 2006-2007 Approved Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposal of eight proposals received. This contract will be awarded in accordance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award, negotiation and execution of a requirements service contract was approved.
49. Authorize award and execution of a contract with AMERON INTERNATIONAL, Phoenix, AZ, for the purchase of steel pipe for the Austin Water Utility in an estimated amount not to exceed \$447,603. Funding is available in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. (Related to item # 12)
The motion authorizing the award and execution of a contract was approved.
50. Authorize execution of Amendment No. 7 to the requirements contract with ALLIED WASTE SERVICES, Del Valle, TX, to provide refuse and recyclable collection services for Austin-Bergstrom International Airport, to increase the contract in an estimated amount not to exceed \$166,131.20 for the current option period for a revised total contract amount not to exceed \$\$4,912,491.60. Funding in the amount of \$44,349.27 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Aviation Department. Funding in the amount of \$121,781.93 is available in the Fiscal Year 2006-2007 Approved Operating Budget. Contract Amendment. Approved by Austin Airport Advisory Commission.
The motion authorizing the execution of amendment number 7 to the requirements contract was approved.
51. Authorize negotiation and execution of an Interlocal Agreement with the TARRANT COUNTY COOPERATIVE PURCHASING PROGRAM, Fort Worth, TX, for the purchase of various types of goods and services offered on contracts available to the City. Procurements under this interlocal agreement will not be made unless funds are available in appropriate Departmental budgets. Cooperative Purchase.
The motion authorizing the negotiation and execution of an interlocal agreement was approved.
52. Authorize award and execution of 12-month requirements supply contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) Austin, TX, for the purchase of various computer hardware products and maintenance in an estimated amount not to exceed \$14,761,873. Funding in the amount of \$5,400,726 is available in Fiscal Year 2006-2007 Approved Operating Budgets of various departments. Funding in the amount of \$70,000 is available in the Fiscal Year 2006-2007 Approved Grant Budget of the Public Safety and Emergency Management department. Funding in the amount of \$9,291,147 is available in the Fiscal Year 2006-2007 Approved Capital Budgets of various departments.
The motion authorizing the award and execution of the requirements supply contract was approved.

53. Authorize award and execution of a contract through the HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (HGAC), with CALDWELL COUNTRY CHEVROLET, Caldwell, TX, for the purchase of three police utility vehicles in an amount not to exceed \$92,175. Funding is available in the Fiscal Year 2006-2007 Approved Vehicle Acquisition Fund of the Financial and Administrative Services Department. Cooperative Purchase.
The motion authorizing the award and execution of a contract was approved.
54. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), with COLUMBUS COUNTRY DODGE, Columbus, TX, for the purchase of seven patrol sedans in an amount not to exceed \$169,694.98. Funding in the amount of \$72,726.42 is available in the Fiscal Year 2006-2007 Approved Vehicle Acquisition Fund of the Financial and Administrative Services Department. Funding in the amount of \$96,968.56 is available in the Fiscal Year 2006-2007 Approved Operating Budget of the Aviation Department. Cooperative Purchase.
The motion authorizing the award and execution of a contract was approved.
55. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with SIDDON'S FIRE APPARATUS, INC., Houston, TX, for the purchase of four pumper fire trucks in an amount not to exceed \$1,827,532. Funding is available in the Fiscal Year 2006-2007 Approved Vehicle Acquisition Fund of the Financial and Administrative Services Department. Cooperative Purchase.
The motion authorizing the award and execution of a contract was approved.
56. Authorize award and execution of a contract through the TARRANT COUNTY COOPERATIVE PURCHASING PROGRAM with PHILPOTT MOTORS, LTD., Nederland, TX, for the purchase of 112 police patrol sedans in an amount not to exceed \$2,483,869.92. Funding in the amount of \$2,151,208.77 is available in the Fiscal Year 2006-2007 Approved Vehicle Acquisition Fund of the Financial and Administrative Services Department. Funding in the amount of \$332,661.15 is available in the Fiscal Year 2006-2007 Approved Operating Budget of the Austin Police Department.
The motion authorizing the award and execution of a contract was approved.
57. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with WHEELED COACH INDUSTRIES, Winter Park, FL, for the purchase of six ambulances in an amount not to exceed \$1,041,060. Funding in the amount of \$867,550 is available in the Fiscal Year 2006-2007 Approved Vehicle Acquisition Fund of the Financial and Administrative Services Department. Funding in the amount of \$173,510 is available in the Fiscal Year 2006-2007 Approved One-time Expenditure Operating Budget of the Financial and Administrative Services Department. There is no unanticipated fiscal impact. A fiscal note is not required. Cooperative Purchase.
The motion authorizing the award and execution of a contract was approved.
58. Authorize award, negotiation and execution of a 12-month requirements service contract with HILB, ROGAL & HOBBS, Houston, TX for all-risk property and boiler & machinery insurance and loss prevention services for City property in an amount not to exceed \$2,060,705, with three 12-month extension options in amounts not to exceed \$2,472,846 for the first option, \$2,967,415 for the second option, \$3,560,898 for the third option for a total contract amount not to exceed \$11,061,864. Funding in the amount of \$2,060,705 is available in the Fiscal Year 2006-2007 Approved Operating Budgets of various City departments. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposal of three proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business

Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation and execution of a requirements service contract was approved.

59. Authorize award and execution of two 12-month supply requirements contracts with AMERICAN TRAFFIC SUPPLY MATERIALS, INC., Orange Park, FL, for vinyl electronically cuttable film for traffic signs in an estimated amount not to exceed \$93,621.25, with two 12-month extension options in an estimated amount not to exceed \$93,621.25 per extension option, for a total estimated contract amount not to exceed \$280,864; and with 3M COMPANY, St. Paul, MN, for high intensity traffic sign sheeting in an estimated amount not to exceed \$88,285.90, with two 12-month extension options in an estimated amount not to exceed \$88,285.90 per extension option, for a total estimated contract amount not to exceed \$264,858, for the Public Works Department. Funding in the amount of \$181,907.15 is available in the Fiscal Year 2006-2007 Approved Operating Budget of the Public Works Department. Funding for the extension options is contingent upon available funding in future budgets. Low bids of seven bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of two supply requirements contracts was approved.

60. Authorize award and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with: COOPER EQUIPMENT COMPANY, San Antonio, TX for the purchase of one 55-ton capacity detachable gooseneck trailer in an amount not to exceed \$67,469.71. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. Cooperative Purchase.

The motion authorizing the award and execution of a contract was approved.

61. Authorize award and execution of a 12-month service requirements contract with PBS&J, Austin TX, for street sign data field collection services for the Public Works Department in an estimated amount not to exceed \$312,400, with two 12-month extension options in an estimated amount not to exceed \$312,400, for a total estimated contract amount not to exceed \$937,200. Funding in the amount of \$312,400 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. Funding for the extension options is contingent upon available funding in future budgets. Low bid of eleven bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a service requirements contract was approved.

Item 62 was pulled for discussion.

63. Approve a resolution authorizing negotiation and execution of an agreement with the Texas Forest Service (TFS) of the Texas A&M University System for U.S. Department of Agriculture Forest Service funding for an Oak Wilt Suppression grant with required City matching funds of \$25,000. Funding of up to \$25,000 is available in U.S. Department of Agriculture Forest Service grant funding administered by the Texas Forest Service. Local matching funds of \$25,000 are required in local matching funds and are available in the Fiscal Year 2006-2007 Approved Operating Budget of the Watershed Protection and Development Review Department.

Resolution No. 20060928-063 was approved.

64. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Asian American Resource Center Advisory Board</u> Debasree Dasgupta	Consensus	Appointment
<u>Austin Community Technology & Telecommunications Commission</u> John Montgomery Kedron Touvell	Mayor Pro Tem Dunkerley's Council Member Martinez'	Appointment Appointment
<u>Board of Adjustment</u> Frank Fuentes	Consensus	Reappointment
<u>Child Care Council</u> Jon Kyle Holder	Consensus	Reappointment
<u>Commission for Women</u> Sylvia Kauffman	Council Member Martinez'	Appointment
<u>Community Development Commission</u> Myron Smith	Consensus <i>(representing - South Austin Neighborhood)</i>	Appointment
<u>Design Commission</u> Girard Kinney	Consensus	Reappointment
<u>Downtown Austin Community Court Advisory Committee</u> Helen Varty	Consensus	Reappointment
<u>Environmental Board</u> Jon Beall	Council Member Kim's	Appointment
<u>Ethics Review Commission</u> Louis Bacarisse Maria Johnson	Council Member Martinez' Consensus <i>(representing - League of Women Voters)</i>	Nomination Nomination
<u>Parks and Recreation Board</u> Danette Chimenti	Council Member Leffingwell's	Appointment
<u>Urban Transportation Commission</u> Ed Easton	Consensus	Appointment
<u>Water and Wastewater Commission</u> Chien Ying Lee	Council Member Kim's	Appointment
<u>Zoning and Platting Commission</u> Teresa Rabago	Council Member Martinez'	Appointment

65. Approve the cancellation of the October 26, 2006 Austin City Council meeting. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley)
The motion authorizing the cancellation was approved.
66. Set a public hearing to receive comment about the proposed Lakewood Ramp, located at Lakewood Drive at FM 2222, and provide policy direction to the City Manager. (Suggested date and time: November 2, 2006 at 6:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, TX.) (Council Member Brewster McCracken Council Member Lee Leffingwell Council Member Sheryl Cole)
The public hearing was set for November 2, 2006 at 6:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, TX. Staff was directed to complete a transportation analysis prior to the Public Hearing.
67. Approve a resolution supporting the U.S. Conference of Mayors and the National Recreation and Park Association in helping to advocate for and implement the new "National Agenda for Urban Parks and Recreation". (Mayor Will Wynn Council Member Lee Leffingwell Council Member Brewster McCracken)
Resolution No. 20060928-067 was approved.
68. Approve a resolution directing the City Manager to seek withdrawal of a request for an opinion by the Attorney General of the State of Texas submitted on behalf of the City of Austin regarding an ordinance proposed by the American Federation of State, County and Municipal Employees (AFSCME) to establish a consultation process for the non-civil service employees of the City of Austin. (Council Member Lee Leffingwell Council Member Brewster McCracken)
Resolution No. 20060928-068 was approved.
69. Approve a resolution authorizing the City Manager to allocate four permanent parking spaces, two in the downtown area in the vicinity of City Hall and Capital Metro's downtown offices, and two in The University of Texas area, with additional parking spaces to be determined on the basis of demonstrated need; designate a suitable number of license plates to be exempt from City parking meter charges for Austin Car Share, Inc. vehicles; and, to negotiate and execute a twelve month pilot program with Austin Car Share to utilize their program. (Council Member Sheryl Cole Council Member Lee Leffingwell)
Resolution No. 20060928-069 was approved.
70. Approve a resolution directing the City Manager to implement accountability guidelines for the affordable housing bonds set for the November 7, 2006 City bond election. (Mayor Pro Tem Betty Dunkerley Council Member Sheryl Cole Council Member Mike Martinez)
This item was postponed to October 5, 2006.
71. Approve a resolution extending the amount of time the Water Conservation task force has to report recommendations to the Austin City Council from 90 days to 120 days. (Council Member Lee Leffingwell Mayor Will Wynn Council Member Sheryl Cole)
Resolution No. 20060928-071 was approved.
72. Approve a resolution directing the City Manager to work with the Design Commission to update and revise the Downtown Design Guidelines, to include recommendations on density bonus options that can be required in exchange for public amenities such as affordable housing, plazas and open space. (Council Member Lee Leffingwell Council Member Brewster McCracken Mayor Pro Tem Betty Dunkerley)
Resolution No. 20060928-072 was approved.

73. Approve an ordinance waiving the wastewater capital recovery fees in Chapter 25-9, Article 3 of the City Code for the properties located at 4308 Bunny Run, 4312 Bunny Run, 4314 Bunny Run, and 4400 Bunny Run, Austin, TX. (Council Member Brewster McCracken Council Member Lee Leffingwell Council Member Sheryl Cole)
Ordinance No. 20060928-073 was approved.
74. Approve an ordinance amending Ordinance No. 20060202-016, extending the terms of office of the Presiding Judge, Associate Judges including the Downtown Community Court Judge and Substitute Judges, of the City of Austin Municipal Court. (Mayor Will Wynn Council Member Mike Martinez Council Member Sheryl Cole)
Ordinance No. 20060928-074 was approved.

Item 75 was pulled for discussion.

76. Set a public hearing to consider a request for a waiver from the minimum distance requirement of City Code, Section 4-9-4(A) which requires 300 feet between a business that proposes to sell alcoholic beverages at 1000 West Lynn Street ("Galaxy Cafe") and a public school, Mathews Elementary School, at 1111 West 6th Street. (Suggested date and time: October 5, 2006 at 6:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, TX.)
The public hearing was set for October 5, 2006 at 6:00 p.m., Austin City Hall, Council Chambers, 301 W. Second Street, Austin, TX.

Items 77 through 79 were Executive Session items.

Item 80 was a briefing set for 2:00 p.m.

Items 81 through 106 were zoning items set for 4:00 p.m.

Items 107 through 112 were public hearings set for 6:00 p.m.

DISCUSSION ITEMS

24. Approve an ordinance amending the Fiscal Year 2005-2006 Financial and Administrative Services Department Capital Budget CIP Contingency Fund of Ordinance No. 20050912-002 by transferring \$3,350,000 to the Parks and Recreation Department Capital Budget; and amending the Fiscal Year 2005-2006 Parks & Recreation Department Capital Budget of Ordinance No. 20050912-002, to appropriate \$3,350,000 for the Gustavo "Gus" L. Garcia Recreation Center. Funding in the amount of \$3,350,000 is available in the Fiscal Year 2005-2006 CIP Contingency. (Related to item #32)
Ordinance No. 20060928-024 was approved on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.
32. Authorize execution of a construction contract with BARECKY CONSTRUCTION COMPANY, Wimberley, TX, for the Gustavo "Gus" L. Garcia Recreation Center in an amount of \$6,252,496 plus a \$312,624 contingency, for a total contract amount not to exceed \$6,565,120. Funding in the amount of \$6,565,120 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Parks and Recreation Department. Best of two proposals received. 13.17% MBE and 14.61% WBE subcontractor participation. (Related to item # 24)
The motion authorizing the execution of a construction contract was approved on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.

62. Approve second reading of an ordinance granting a franchise agreement to Texas Gas Service, a division of ONEOK, Inc. to provide natural gas distribution services. Funding in the amount of \$6,548,600 in Franchise Fee Revenue was included in the Fiscal Year 2006-2007 Approved Budget. Presented to Council Subcommittee for Emerging Technology and Telecommunications.
The second reading of the ordinance as presented by staff was approved on Council Member Martinez' motion, Council Member Kim's second on a 7-0 vote. Direction was given to staff to work with transportation customers on exemption and phase-in format.

CITIZEN COMMUNICATIONS: GENERAL

Sylvia Benini - City Policies

Frances Hanlon - Peace

Hart Viges - Peace

Susana Almanza - No Toll Roads

Bonnie Brock - Reduction of Solid Waste Cost

Albert Hernandez - Austin Watershed Protection Review Department

Pat Johnson - When Can We Please Have an Answer. **He was not present when his name was called.**

Evelyn Herczog - Tap Permit Application, pending since September 1st. **She was not present when her name was called.**

Trek English - Walnut Creek. **She was not present when her name was called.**

Nailah Sankofa - Art Funding and First Night Austin. **She was not present when her name was called.**

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:33 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

77. Discuss the appointment of additional individual Associate and Substitute Judges of the City of Austin Municipal Court. (Personnel Matters - Section 551.074)
78. Discuss legal issues regarding the exchange, lease, sale, and value of certain real property located in eastern Travis County managed by Austin Energy and purchased using tax exempt bonds. (Private Consultation with Attorney - Section 551.071)

- 79. Discuss the exchange, lease, sale, and value of certain real property located in eastern Travis County managed by Austin Energy and purchased using tax exempt bonds. (Real Property - Section 551.072)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:29 p.m.

DISCUSSION ITEMS CONTINUED

- 75. Approve an ordinance amending Ordinance No. 20060202-016, appointing Associate and Substitute Judges to the City of Austin Municipal Court. (Recommended by the Judicial Committee.) (Mayor Will Wynn Council Member Mike Martinez Council Member Sheryl Cole)
Ordinance No. 20060928-075 was approved on Council Member Martinez’ motion, Council Member Cole’s second on a 7-0 vote.
- 40. Approve a resolution adopting taxicab franchise evaluation criteria to select a new taxicab franchise. The taxicab permit fee of \$400 per year per permit is a revenue source. Recommended by the Urban Transportation Commission.
Resolution No. 20060928-040 was approved with the following amendment on Council Member Martinez’ motion, Council Member Kim’s second on a 7-0 vote. Council Member Martinez’ amendment was to remove the credit scores as part of the evaluation matrix and insert “a financially qualified firm” requirement.
- 29. Approve the negotiation and execution of a 15-year lease for approximately 6,280 square feet of medical and nutritional counseling space for the Women Infants and Children (WIC) program of the Health and Human Services Department, located at 8701A Research Boulevard, from VAN’S REAL ESTATE PARTNERSHIP, Austin TX, in an amount not to exceed \$2,947,238.05. Funding for the contract period is contingent upon available funding in future WIC grant programs. (Related to item # 15)
The motion authorizing the negotiation and execution of a lease was approved on Council Member Martinez’ motion, Mayor Pro Tem Dunkerley’s second on a 6-0 vote. Council Member Leffingwell was off the dais.

BRIEFINGS

- 80. Presentation by the Downtown Commission on their August 3, 2006 Report to the City Council concerning Downtown Development.
The presentation was made by Jeb Boyd, Chair of the Downtown Commission.

Mayor Wynn recessed the Council Meeting at 3:30 p.m.

BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn recessed the Council Meeting at 3:31 p.m. to go into the Board of Director’s Meeting of the Austin Housing Finance Corporation. See separate minutes.

AHFC adjourned at 3:34 p.m.

Mayor Wynn called the Council Meeting back to order at 4:03 p.m.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Leffingwell’s motion, Mayor Pro Tem Dunkerley’s second on a 7-0 vote.

81. C14-06-0023 - Marks 4 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City by rezoning property locally known as 2301 East Riverside Drive (Town Lake Watershed) from family residence (SF-3) district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. First reading approved on June 22, 2006. Vote: 7-0. Second reading approved on August 9, 2006. Vote: 7-0. Applicant: Eddie Dean. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.
Ordinance No. 20060928-081 for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2 was approved.
82. C14-06-0032 - San Jose Church and Arandas - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2510 South First Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning; general office-conditional overlay (GO-CO) combining district zoning; community commercial-conditional overlay (GR-CO) combining district zoning; and limited office-conditional overlay (LO-CO) combining district zoning. First reading approved on June 22, 2006. Applicant: Father Tom Frank and Daniel Camerena. Agent: LOC Consulting (Alma Mulieri). City Staff: Robert Heil, 974-2330.
Ordinance No. 20060928-082 for general commercial services-conditional overlay (CS-CO) combining district zoning for Tract One; general office-conditional overlay (GO-CO) combining district zoning for Tract Two; community commercial-conditional overlay (GR-CO) combining district zoning for Tract Three; and limited office-conditional overlay (LO-CO) combining district zoning for Tract Four was approved.
83. C14-06-0129 - Pavilion Park and Ride Expansion - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11979 Research Boulevard and 11933 Jollyville Road (Walnut Creek Watershed) from public (P) district zoning; limited office (LO) district zoning and community commercial (GR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1, and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. First reading approved on August 31, 2006. Vote: 7-0. Applicant: Capital Metro (John Hodges); Compass Properties (Mitchell Wong). Agent: Doucet & Associates (Ted McConaghy). City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20060928-083 for general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1, and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2 was approved.
84. C14-06-0141 - Children's Courtyard - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5811 Southwest Parkway (Barton Creek Watershed - Barton Springs Zone) from development reserve (DR) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. First reading approved on August 24, 2006. Vote: 7-0. Applicant: Andy and Joy Rites. Agent: McDill Engineering (Tom McDill). City Staff: Robert Heil, 974-2330.
Ordinance No. 20060928-084 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved.
85. C14-06-0138 - 4711 East Riverside - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4711 East Riverside Drive (Country Club Creek Watershed) from general office (GO) district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. First reading approved on August 9, 2006. Vote: 7-0.

Applicant: TSB Resource (Terry Blankenship). Agent: Clark, Thomas & Winters (John Joseph). City Staff: Robert Heil, 974-2330.

Ordinance No. 20060928-085 for general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning was approved with the following amendment. The amendment was to remove the prohibition against multi family use in the conditional overlay.

86. C14-06-0136 - Gate Terrace - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1701 and 1703 Windoak (Harper's Branch Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. First reading approved on August 31, 2006. Vote: 7-0. Applicant: Jim Cummings. Agent: Urban Design (Laura Toups). City Staff: Robert Heil, 974-2330.
Ordinance No. 20060928-086 for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved.
87. C14-06-0132 - Rathgeber Village - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4800 Manor Road (Tannehill Branch Watershed) from family residence (SF-3) district zoning and planned unit development (PUD) district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. First reading approved on August 24, 2006. Vote: 7-0. Applicant: Catellus Austin L.L.C. (Greg Weaver). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Robert Heil, 974-2330.
This item was removed from the agenda.
88. C14-06-0115 - Jenkins 20/21 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4208 Manchaca Road (West Bouldin Creek Watershed) from neighborhood commercial (LR) district zoning and family residence (SF-3) district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. First reading approved on July 27, 2006. Vote: 7-0. Applicant: Robert Jenkins. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.
Ordinance No. 20060928-088 for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning was approved.
89. C14-06-0114 - Our Lady Catholic Church - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1320 E. 51st Street (Tannehill Branch Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First reading approved on July 27, 2006. Vote: 7-0. Applicant: Our Lady Catholic Church (Rev. Don J. Sawyer). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.
Ordinance No. 20060928-089 for limited office-conditional overlay (LO-CO) combining district zoning was approved.
90. C14-06-0097 - Cody Pools - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2300 West Parmer Lane (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. First reading approved on August 31, 2006. Vote: 7-0. Applicant: Cody Pools, Inc. (Michael R. Church). Agent: Permit Me (Maureen Morpew). City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20060928-090 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved.

91. C14-06-0079 - Bluebonnet Creek - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2215 Bluebonnet Lane (Barton Creek Watershed-Barton Springs Zone) from family residence (SF-3) district zoning to multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. First reading approved on August 24, 2006. Vote: 7-0. Applicant: Howard Baker. Agent: David Ward. City Staff: Robert Heil, 974-2330.

The second reading of the ordinance for multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning was approved.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 7-0 vote.

92. C14-06-0119 - Beverly's - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8504 South Congress Avenue (Onion Creek Watershed) from development reserve (DR) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1, and general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1, and general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 2. Applicant: Jay Coulter Baker. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 20060928-092 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 2 was approved.

93. C14-06-0137 - CVS William Cannon at MoPac - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4001 West William Cannon Drive (Williamson Creek Watershed-Barton Springs Zone) from limited office-conditional overlay (LO-CO) combining district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: Rancho Garza, Ltd. (Ron White) and C. Daniel Wheelus. Agent: Drenner Golden Stuart Wolff, L.L.P. (Michelle Haussmann). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 20060928-093 for neighborhood commercial-conditional overlay (LR-CO) combining district zoning was approved.

94. C14-06-0153 - Austin First Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1203 Bastrop Highway (Carson Creek Watershed) from interim-rural residence (I-RR) district zoning; interim-single-family residence-standard lot (I-SF-2) district zoning, and general commercial services (CS) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: United Pentecostal Church of Jesus Christ (Pastor Charles Stephens). Agent: Clark, Thomas & Winters APC (Kelly Cannon). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 20060928-094 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved.

95. C14-06-0154 - The Domain - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10701 North MoPac Expressway (Walnut Creek/Shoal Creek Watershed) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. Staff Recommendation: To grant major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. Applicant: The Domain Shopping Center, L.P. (Tom Schneider). Agent: Drenner, Golden, Stuart, Wolff, L.L.P. (Michelle Haussmann). City Staff: Jorge E. Rousselin, 974-2975.

The first reading of the ordinance for major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning was approved with the following amendment. The amendment was to allow a modification to the existing PDA ordinance for the construction of four signs along the MoPac Frontage road on the western boundary of the parcel within the Scenic Roadway designation. One free standing sign at a maximum height of 72 feet shall be allowed and three subdivision identification signs at a maximum height of 12 feet shall be allowed in accordance with the attached exhibits.

96. C14-06-0140 - Church for the Holy Vietnamese Martyrs Parish Diocese of Austin - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1112 East Yager Lane (Walnut Creek Watershed) from townhouse and condominium residence (SF-6) district zoning, and development reserve (DR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and neighborhood office-conditional overlay (NO-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and neighborhood office-conditional overlay (NO-CO) combining district zoning for Tract 2. Applicant: Roman Catholic Diocese of Austin (The Most Reverent Bishop Gregory M. Aymond). Agent: Bury & Partners, Inc. (Melissa Matthiesen). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20060928-096 for community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and neighborhood office-conditional overlay (NO-CO) combining district zoning for Tract 2 was approved.

97. C14-06-0101 - Ravenscroft - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the 11401-11499 Block of Manchaca Road (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. Applicant: Huston-Tillotson University (Larry L. Earvin). Agent: Bury & Partners (Melissa Matthiesen). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 20060928-097 for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions was approved with the following amendments. The amendments were to decrease the units by 8, reducing the total units to 18.

98. C14-06-0102 - Ravenscroft - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11301-11351 Block of Manchaca Road

(Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. Applicant: Huston-Tillotson University (Larry L. Earvin). Agent: Bury & Partners (Melissa Matthiesen). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 20060928-098 for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions was approved with the following amendments. The amendments were to increase the units by 8, increasing the total units to 78.

99. C14-06-0135 - Private Mini Storage - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 604 and 700 Corral Lane and 7116 South IH-35 Service Road Southbound (South Boggy Creek Watershed) from single-family residence-standard lot (SF-2) district zoning and family residence (SF-3) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To deny general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on October 3, 2006. Applicant: Amy Trost and Christopher Masey; DL Chase Investments (Daniel Case). Agent: Lopez-Phelps & Associates, LLP (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 974-7719. A valid petition has been filed in opposition to this rezoning request.
This item was postponed to October 19, 2006 at staff's request.
100. C14-06-0120 - Martin 1 & 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 101-103 East Braker Lane (Shoal Creek Watershed) from limited office (LO) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To deny neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To deny neighborhood commercial (LR) district zoning. Applicant: Billie A. Martin. Agent: Jim Bennett. City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to October 5, 2006 at the neighborhood's request.
101. C14-06-0142 - Ed's Mountain Shadow - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8800 and 8702 Sky Mountain Drive (Williamson Creek Watershed - Barton Springs Zone) from rural residence (RR) district zoning to warehouse limited office (W/LO) district zoning. Staff Recommendation: To deny warehouse limited office (W/LO) district zoning. Planning Commission Recommendation: To deny warehouse limited office (W/LO) district zoning. Applicant: Judith Elain Legget. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.
This item was postponed to October 19, 2006 at staff's request.
102. C14-06-0158 - Oasis in West Campus - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1801 Nueces Street ((Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: to grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Applicant: Oasis in West Campus (Darryl L. Mobley). Agent: Carter Design Associates (Donna D. Carter). City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to October 19, 2006 at the adjacent property owner's request.

Mayor Wynn recessed the Council Meeting at 5:32 p.m.

LIVE MUSIC

Joe Richardson

PROCLAMATIONS

Presentation to the City by the Koblenz Sister City Committee to be accepted by Mayor Will Wynn

Proclamation -- Mental Health Awareness Week -- to be presented by Mayor Will Wynn and to be accepted by Beverly Scarborough

Proclamation -- Financial Planning Week -- to be presented by Mayor Will Wynn and to be accepted by Holly Moore and members of the Financial Planning Association Board

Proclamation -- Hostelling International Day -- to be presented by Mayor Will Wynn and to be accepted by Vanessa Vaughan

Proclamation -- Keep Kids in School Week -- to be presented by Mayor Will Wynn and to be accepted by Shilpa Bakre

Proclamations -- Austin Rowing Club Day and Texas Rowing Center Day -- to be presented by Council Member Jennifer Kim and to be accepted by Camille Jobe and Matt Knifton.

Certificates of Congratulations – Town Lake Chapter of Links for national award and Brianna Kneip, national poster art contest winner – to be presented by Council Member Sheryl Cole and to be accepted by Bea Benson and Brianna Kneip

Mayor Wynn called the Council Meeting back to order at 6:30 p.m.

ZONING DISCUSSION ITEMS

103. NPA-05-0021 - Conduct a public hearing and approve an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the East Riverside/Oltorf Combined Neighborhood Plan. The combined planning area is bounded by IH-35 on the west, Town Lake and the Colorado River on the north, Grove Boulevard and Montopolis Drive on the east and State Highway 71 (Ben White Boulevard East) on the south.

The public hearing was closed on Council Member Martinez' motion, Council Member Cole's second on a 7-0 vote.

This item was postponed to October 19, 2006, 6:00 p.m. at Council's request on Council Member Martinez' motion, Council Member Kim's second on a 7-0 vote.

104. C14-05-0111 – Parker Lane Neighborhood Plan Combining District - Conduct a public hearing and approve and ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by Oltorf Street, on the east by Montopolis Drive, on the south by Ben White Blvd./US 71, and on the west by IH-35 (Blunn, Carson, Country Club, Harpers Branch, Town Lake, Williamson Watersheds). The proposed zoning change will create the Parker Lane Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan for a total of 14 tracts (within the planning area of 1,130.72 acres). Under the proposed Parker Lane NPCD, “Small Lot Amnesty”, “Garage Placement”, “Impervious Cover and Parking Placement Restrictions” are proposed for the entire area. “Prohibited Parking in the Front Yard” is proposed for the entire area except for the Burleson Heights and Terrilance Subdistricts. The Burleson

Heights Subdistrict is generally described as a triangular shaped area bounded by the northern boundary of the Burleson Road Heights Subdivision to the north, the eastern boundary of the Burleson Road Heights Subdivision on the east to the eastern boundary of the Polvado Subdivision southward to a point at Burleson Road near the intersection of Santa Monica Drive, and the western boundary of the Burleson Road Heights Subdivision to Burleson Road on the west. The Subdistrict includes Douglas Street, Princeton Drive, Ware Road, Benjamin Street and a portion of Burleson Road. The Terrilance Subdistrict is generally described as the area bounded by the northern boundaries of the Reissig Heights Subdivision No. 3 and Markhills Subdivision on the north, the eastern boundary of Markhills Subdivision to the east, the southern boundaries of Reissig Heights Subdivision No.2 and the Markhills Subdivision on the south, and Burleson Road on the west. The Subdistrict includes Terrilance Drive and a portion of Pleasant Valley Road. The “Urban Home” special use is proposed for the Parker Lane, and Mission Hill Subdistricts. The Parker Lane Subdistrict includes the lots adjoining the east side of Parker Lane between Carlson Drive and Wickshire Lane within the Greenbriar Subdivision, Section Two, Resub of Block F. The Mission Hill Subdistrict includes the lots adjoining the north and south sides of Mission Hill Drive within the Mission Hill and Mission Hill Section Four Subdivisions and the lots adjoining the south side of Mission Hill Dr. within the Mission Hill Section Three Subdivision. The Neighborhood Mixed Use Building special use is proposed for Tracts 201 and 201A. The City Council may approve a zoning change to any of the following: Rural Residential (RR); Single-Family Residence – Large Lot (SF-1); Single-Family Residence—Standard Lot (SF-2); Family Residence (SF-3); Single-Family – Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-family Residence - Low Density (MF-2); Multi-family Residence - Medium Density (MF-3); Multi-family Residence – Moderate-High Density (MF-4); Multi-family Residence - High Density (MF-5); Multi-family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil 974-2330 and Melissa Laursen 974-7226

The public hearing was closed on Council Member Martinez’ motion, Council Member Cole’s second on a 7-0 vote.

This item was postponed to October 19, 2006, 6:00 p.m. at Council’s request on Council Member Martinez’ motion, Council Member Kim’s second on a 7-0 vote.

105. C14-05-0112 – Riverside Neighborhood Plan Combining District - Conduct a public hearing and approve and ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by Town Lake, on the east by Pleasant Valley Road, on the south by Oltorf Street, and on the west by IH-35 (Colorado River, Country Club, Harpers Branch, Town Lake Watersheds). The proposed zoning change will create the Riverside Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan for a total of 28 tracts (within the planning area of 729.96 acres). Under the proposed Riverside NPCD, “Small Lot Amnesty”, “Garage Placement”, “Impervious Cover and Parking Placement Restrictions” and “Prohibited Parking in the Front Yard” are proposed for the entire area. The Neighborhood Mixed Use Building special use is proposed for Tracts 21, 22, 35, 37, 38, 41, 42, 43, 43A, 44, 45, 45A, 45B, 47 and 51. The Neighborhood Urban Center special use is proposed for Tracts 21, 22, 35, 37, 38, 41, 42, 43, 43A, 44, 45, 45A and 45B. The City Council may approve a zoning change to any of the following: Rural Residential (RR); Single-

Family Residence – Large Lot (SF-1); Single-Family Residence—Standard Lot (SF-2); Family Residence (SF-3); Single-Family – Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-family Residence - Low Density (MF-2); Multi-family Residence - Medium Density (MF-3); Multi-family Residence – Moderate-High Density (MF-4); Multi-family Residence - High Density (MF-5); Multi-family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil 974-2330 and Melissa Laursen 974-7226

The public hearing was closed on Council Member Martinez’ motion, Council Member Cole’s second on a 7-0 vote.

This item was postponed to October 19, 2006, 6:00 p.m. at Council’s request on Council Member Martinez’ motion, Council Member Kim’s second on a 7-0 vote.

106. C14-05-0113 – Pleasant Valley Neighborhood Plan Combining District - Conduct a public hearing and approve and ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by the Colorado River, on the east by Grove Blvd., on the south by Oltorf Street and on the west by Pleasant Valley Road save and except approximately 183 acres of land known as the Austin Community College “ACC” tract (Colorado River, Country Club, Town Lake Watersheds). The proposed zoning change will create the Pleasant Valley Neighborhood Plan Combining District (NPCD) and implement land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan for a total of 4 tracts (within the planning area of 1,275 acres). Under the proposed Pleasant Valley NPCD, “Small Lot Amnesty”, “Garage Placement”, “Impervious Cover and Parking Placement Restrictions” and “Prohibited Parking in the Front Yard” are proposed for the entire area. The City Council may approve a zoning change to any of the following: Rural Residential (RR); Single-Family Residence – Large Lot (SF-1); Single-Family Residence—Standard Lot (SF-2); Family Residence (SF-3); Single-Family – Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-family Residence - Low Density (MF-2); Multi-family Residence - Medium Density (MF-3); Multi-family Residence – Moderate-High Density (MF-4); Multi-family Residence - High Density (MF-5); Multi-family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil 974-2330 and Melissa Laursen 974-7226

The public hearing was closed on Council Member Martinez’ motion, Council Member Cole’s second on a 7-0 vote.

This item was postponed to October 19, 2006, 6:00 p.m. at Council's request on Council Member Martinez' motion, Council Member Kim's second on a 7-0 vote.

PUBLIC HEARINGS

107. Conduct a public hearing and approve an ordinance amending Section 25-2-4(B)(42) of the City Code to amend the definition of medical offices to include a pharmacy use of 3,000 sq. ft. or less. (Recommended by Planning Commission).
The public hearing was closed and Ordinance No. 20060928-107 was approved on Council Member McCracken's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member Cole was off the dais.
108. Conduct a public hearing and approve a resolution authorizing the use of approximately 0.212 acre (9,221 square feet) waterline and a 0.092 acre (4,012 square feet) temporary work space use agreement through dedicated parkland known as Little Walnut Creek Greenway and Destination Parkland, in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks Board.
The public hearing was closed and Resolution No. 20060928-108 was approved on Council Member Leffingwell's motion, Council Member McCracken's second on a 6-0 vote. Council Member Cole was off the dais.
109. Conduct a public hearing to receive comments on issues related to the full purpose annexation of the North Acres Annexation Area (approximately 381 acres in northeast Travis County, located between North IH-35 and Dessau Road just south of East Braker Lane.) Full purpose annexation is anticipated in December 2008 in accordance with the City's Municipal Annexation Plan.
The public hearing was closed on Council Member Martinez' motion, Council Member Leffingwell's second on a 6-0 vote. Mayor Pro Tem Dunkerley was off the dais.
110. Conduct a public hearing and approve an ordinance repealing Chapter 25-12, Article 3 of the City Code relating to pools and spas and adopting a new Chapter 10-7, Pools and Spas. Recommended by the Planning Commission.
The public hearing was closed and Ordinance No. 20060928-110 was approved on Council Member McCracken's motion, Council Member Martinez' second on a 6-0 vote. Council Member Dunkerley was off the dais.
111. Conduct a public hearing to receive public comments and adopt an ordinance amending the Large Primary Service - Special Contract Rider in the Electric Rate Schedule in Exhibit A of Ordinance No. 20050912-004 and adding a new Large Primary Service - Special Contract Rider II to the Electric Rate Schedule in Exhibit A of Ordinance No. 20050912-004. Recommended by the Electric Utility Commission.
The public hearing was closed and Ordinance No. 20060928-111 was approved on Council Member Cole's motion, Council Member McCracken's second on a 6-0 vote. Mayor Pro Tem Dunkerley was off the dais.
112. Conduct a public hearing and approve a resolution authorizing the use of approximately 45 acres for the construction of Water Treatment Plant #4 (WTP#4) on the Balcones Canyonland Preserve (BCP) tract known as Cortaña, located along F.M. 620 between Steiner Ranch Boulevard and F.M. 2222, in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with the construction, as well as any BCP mitigation will be paid by the Austin Water Utility Department. Recommended by Water and Wastewater Commission, August 2, 2006; BCP Citizens Advisory

Committee, August 8, 2006; BCP Science Advisory Committee, August 15, 2006; Environmental Board, August 16, 2006; BCP Coordinating Committee, August 21, 2006.

The public hearing was closed and Resolution No. 20060928-112 was approved on Council Member Cole's motion, Mayor Pro Tem Dunkerley's second on a 6-1 vote. Council Member Kim voted no.

Mayor Wynn adjourned the meeting at 9:30 p.m. without objection.

The minutes for the Regular Meeting of September 28, 2006 were approved on this the 5th day of October, 2006 on Council Member Cole's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.